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Attorneys for Defendant

BANK OF AMERICA, N.A.

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

JAMES HUTCHINS,

Plaintiff,

vs.

**BANK OF AMERICA, N.A., a North
Carolina corporation; and DOES 1 through 20,
inclusive,**

Defendants.

Case No. C13-3242 JCS

Hon. Joseph C. Spero

**JOINT STIPULATION TO CONTINUE
DEFENDANT BANK OF AMERICA,
N.A.'S TIME TO RESPOND**

FAC Filed: November 27, 2013
Trial Date: Not Assigned

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SAN FRANCISCO, CA 94105

STIPULATION

Defendant Bank of America, N.A. (“Defendant”) and Plaintiff James Hutchins (“Plaintiff”), by and through their respective counsel of record, hereby stipulate and agree as follows:

1. Plaintiff filed his Complaint in this action on July 12, 2013.
2. Defendant filed a Motion to Dismiss the Complaint, which the Court granted in part and overruled in part on October 28, 2013.
3. On November 27, 2013, Plaintiff timely filed a First Amended Complaint (“FAC”).
4. Defendant filed a Motion to Dismiss the FAC on December 16, 2013.
5. On February 25, 2013, the Court granted Defendant’s Motion to Dismiss the FAC without leave to amend as to the first, second, third, fourth, fifth, sixth, and ninth causes of action from the FAC. Consequently, the remaining viable causes of action from the FAC are the seventh cause of action for violation of Real Estate Settlement Procedures Act and eighth cause of action for violation of Fair Credit Reporting Act.
6. There has been one previous time modification entered in this case. The parties previously stipulated to a thirty (30) day extension of time for Defendant to respond to Plaintiff’s original Complaint.
7. Plaintiff and Defendant now agree and stipulate that Defendant’s deadline to file a responsive pleading to the remaining causes of action from Plaintiff’s FAC shall be extended fourteen (14) days until and including **March 25, 2014**.
8. This stipulated extension will not result in prejudice to any party and its impact on judicial proceedings is not expected to be significant.
9. Nothing in this stipulation shall constitute a waiver of any arguments or defenses that Plaintiff or Defendant may wish to assert in their pleadings, all of which are expressly reserved.

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1 10. This change will not alter the date of any event or any deadline already fixed by
2 Court order.

3 **IT IS SO STIPULATED.**

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5 Dated: March 12, 2014

Respectfully submitted,

6 **MOSS and MURPHY**

7
8 By: /s/ Glen L. Moss
9 Glen L. Moss
10 Attorneys for Plaintiff
11 JAMES HUTCHINS

12
13
14
15 Dated: March 12, 2014

Respectfully submitted,

16 **BRYAN CAVE LLP**

17
18 By: /s/ Sharon L. Stewart
19 Sharon L. Stewart
20 Attorneys for Defendant
21 BANK OF AMERICA, N.A.

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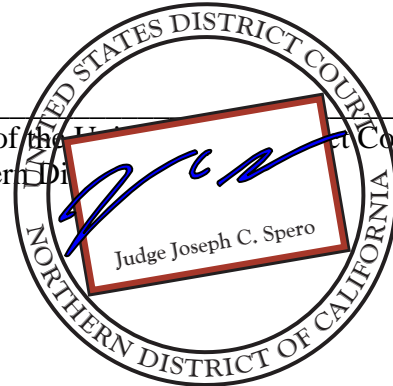
[PROPOSED] ORDER

Having reviewed the stipulation of Plaintiff JAMES HUTCHINS and Defendant BANK OF AMERICA, N.A. and good cause appearing, the deadline for Defendant to respond to the seventh and eighth causes of action from Plaintiff's First Amended Complaint is extended to **March 25, 2014.**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/31/14

Judge of the United States District Court
Northern District of California



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